

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In the Matter of:

**APOLLONIA CHA'NELL MILLS**

Debtor.

In Bankruptcy:

Case No. 19-46601-mlo  
Chapter 7

Hon. Maria L. Oxholm

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**OBJECTION TO MOTION TO LIFT STAY**

Timothy J. Miller, Chapter 7 Trustee, by and through his attorneys, Clayson, Schneider & Miller, P.C., for his Objection to Motion to Lift Stay, relies on and incorporates herein by reference the attached Brief in Support of Objection to Motion to Lift Stay.

**WHEREFORE**, the Trustee prays this Court denies Movant's motion.

**CLAYSON, SCHNEIDER & MILLER P.C.**

Dated: July 17, 2019

/s/ David P. Miller, attorney

David P. Miller (P79911)

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**BRIEF IN SUPPORT OF  
OBJECTION TO MOTION TO LIFT STAY**

1. On April 30, 2019, the Debtor filed a voluntary petition under Chapter 7 of the Bankruptcy Code.
2. Debtor owns an interest in real property located at 7706 W 7 Mile Rd, Detroit, MI 48221 (the "Property")(Doc # 1).
3. Debtor valued the Property at \$32,800.00 in her Schedules.
4. Detroit Land Development Company, LLC ("DLDC") asserts it holds a secured claim against the Property pursuant to a land contract, or that it is otherwise entitled to title and possession of the property (See Doc # 20 and related pleadings).
5. DLDC alleges by its motion for relief from stay (Doc # 20) that Debtor is behind \$4,425.00 on her payments to DLDC, and that DLDC is not adequately protected.

6. DLDC does not by its motion state the balance of the amounts owed to it, but Debtor's schedules state that DLDC's claim amounts to \$30,000.00.
7. Online real property websites list the value of the Property as high as \$102,291 (per Zillow.com on July 17, 2019<sup>1</sup>).
8. Trustee may be entitled to avoid DLDC's claim against the property for the benefit of the estate.
9. Lift of the automatic stay under 11 U.S.C. Sec. 363 is not appropriate or authorized at this time.

WHEREFORE, the Trustee requests this Court deny the relief sought by DLDC's motion for relief from the automatic stay.

Respectfully submitted,

**CLAYSON, SCHNEIDER & MILLER P.C.**

Dated: July 17, 2019

/s/ David P. Miller, attorney  
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<sup>1</sup>

[https://www.zillow.com/homedetails/7706-W-Seven-Mile-Rd-Detroit-MI-48221/88345419\\_zpid/](https://www.zillow.com/homedetails/7706-W-Seven-Mile-Rd-Detroit-MI-48221/88345419_zpid/)

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*[proposed]*  
**ORDER DENYING DLDC'S  
MOTION FOR RELIEF FROM AUTOMATIC STAY**

The Trustee, Timothy J. Miller, having filed an objection to creditor Detroit Land Development Company, LLC's ("DLDC") motion for relief from stay, this Court having held a hearing regarding the same, and being fully advised in the premises;

**IT IS HEREBY ORDERED** that DLDC's motion is hereby **DENIED**.

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**CERTIFICATE OF SERVICE**

Re:

Objection to Creditor's Motion for Relief from Stay, Brief in Support,  
Proposed Order, and Certificate of Service.

I hereby certify that, on July 17, 2019, I electronically filed the foregoing Paper(s) with the Clerk of the Court using the ECF system which will send notification of such filing to the Office of the United States Trustee, Detroit Land Development Company, LLC, Debtor, (and/or their attorneys) and all those listed by the court as receiving electronic notices in this case from the court's CM/ECF system.

**CLAYSON, SCHNEIDER & MILLER, P.C.**

Dated: July 17, 2019

/s/ David P. Miller, attorney

David P. Miller (P79911)

Attorney for Trustee

645 Griswold, Suite 3900

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